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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re the Application of

Munenori SAWADA

Group Art Unit: 2673

Application No.: 10/067,263

Examiner: D. LEWIS

Filed: February 7, 2002

Docket No.: 111914

For: INPUT SYSTEM FOR PORTABLE TERMINAL, PORTABLE TERMINAL,
CONTROL UNIT, AND INPUT PROGRAM FOR PORTABLE TERMINAL

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please consider the following, which constitutes Applicant's separate Interview

Summary of the September 8, 2005 interview between the undersigned and Examiner Lewis.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Lewis in the September 8, 2005 personal interview.

The Final Office Action mailed July 14, 2005 rejects claims 5-11 and 15 under 35 U.S.C. §102(a) as allegedly being anticipated by U.S. Patent No. 6,163,326 ("Klein"). However, throughout the Office Action, the claims are rejected in view of U.S. Patent No. 5,790,371 ("Latocha") or U.S. Patent No. 6,788,285 ("Paolucci"). The Final Office Action further states that Applicant's previous arguments, i.e., arguments addressing Klein and Latocha, have been considered but are moot in view of the new grounds of rejection enclosed in the Final Office Action. The Patent Office then refers to the new §102 rejection as relying on Paolucci.

Applicant's representative conducted an interview with Examiner Lewis on September 8, 2005 to clarify which reference allegedly anticipates claims 5-11 and 15. Examiner Lewis explained that he intended to reject claims 5-11 and 15 under 35 U.S.C. §102(a) as allegedly being anticipated by Paolucci. During the interview, Applicant's representative explained that Paolucci is not a proper prior art reference under 35 U.S.C. §102(a) as the present application was filed prior to the publication of Paolucci. In particular, the present application was filed on February 7, 2002, while Paolucci was published on October 10, 2002. Thus, Applicant's representative explained that Paolucci is not a proper prior art reference under 35 U.S.C. §102(a).

As demonstrated by the Examiner's Interview Summary from the September 8, 2005 interview(copy attached), Examiner Lewis agreed to withdraw this rejection and to either allow the case or to re-mail another Office Action based on new prior art. To date, Applicant has not yet received a Notice of Allowance or a new Office Action.

Applicant submits that in view of the Examiner's Interview Summary, a response to the Final Office Action is not necessary as a new Office Action or Notice of Allowance is to be mailed by the Patent Office. Applicant respectfully requests the Patent Office to either mail a Notice of Allowance or another Office Action as promised by Examiner Lewis.

Respectfully submitted,

Leana Levin

James A. Oliff
Registration No. 27,075

Leana Levin
Registration No. 51,939

Attachment:
September 8, 2005 Interview Summary

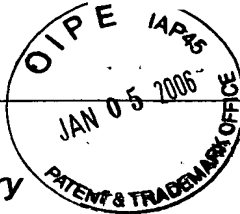
JAO:LL/tlp

Date: January 5, 2006

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

Interview Summary



Application No.

10/067,263

Applicant(s)

SAWADA, MUNENORI

Examiner

David L. Lewis

Art Unit

2673

All participants (applicant, applicant's representative, PTO personnel):

(1) David L. Lewis.

(3) _____.

(2) Leana Levin (51, 939).

(4) _____.

Date of Interview: 08 September 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: none.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner agrees to withdraw the rejection based on Paolucci et al. and either allow the case or write another rejection based on new art. Paolucci et al. has a bad priority date.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required